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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/214,865	01/14/1999	YOSHIHIKO TAKISHITA	Q52837	8105

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SUGHRUE MION ZINN MACPEAK & SEAS
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20037

EXAMINER	
KIM, PAUL L	

ART UNIT	PAPER NUMBER
2857	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/214,865	TAKISHITA, YOSHIHIKO	
	Examiner	Art Unit	
	Paul L Kim	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-7,9-15 and 46-54* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-7,9-15 and 46-54* is/are rejected.

7)☒ Claim(s) *51* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 51 is objected to because of the following informalities: In the 4th line, the phrase "data added to the data or updated data each time" needs to be revised because it is difficult to understand. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 3, 11, 14, 15, and 49-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barron et al in view of Wood et al.

Barron et al teaches an ultrasonic inspection system that determines whether a sample contains a defect (abstract) comprising a computer (fig. 1, part B), a data storage section (fig. 1, part D), and a display (fig. 1, part C). Barron et al, however, does not specify a plurality of the inspection systems interconnected. Wood et al teaches multiple ultrasonic system (figs. 15-17) containing a probe (fig. 1, part 12 & fig. 15), host computer (fig. 1, part 100 & fig. 15, parts 234 & 242), a data storage section for the host computer (col. 13, lines 35-40), a data storage section for each probe (fig. 2, part 24), and a display (fig. 1, part 26). Because Wood et al and Barron et al are both within the

art of specimen inspection by ultrasonic means and since connecting a series of inspection systems to a network is well known in the art, it would have been obvious to one of ordinary skill in the art at the time of the invention, to modify Barron et al, so that a plurality of inspections systems is networked together, as taught by Wood et al, so as to receive the expected benefits of convenience and cost savings by a centralized information collector.

4. Claims 4-7 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barron et al in view of Wood et al, as applied to claims 1, 3, 11, 14, 15, and 49-54 above, and further in view of Lather et al.

Barron et al, as modified above, does not teach the ultrasonic inspection system comprising of a probe test. Lather et al teaches an automatic self-checking of test equipment consisting of a probe comprising a T/R circuit (fig. 1, part 4), waveform-processing circuit (fig. 1, part 6), data storage for storing probe data (fig. 4, parts 6 and 19), and control section (fig. 1, part 8). Lather et al teaches opposing the probe to a test object (fig. 1, part 1), collecting data from the T/R circuit when probe is excited (col. 2, lines 5-10), disconnecting the probe from the T/R circuit and collecting a second data (col. 1, lines 58+), and determining whether the probe is abnormal based on the tests (col. 2, lines 25-34). Since Barron et al, as modified above, and Lather et al are both within the art of operating ultrasonic data-collecting equipment, and because Lather et al teaches the benefits of probe self-test, it would have been obvious to one of ordinary skill in the art at the time of the invention, to modify Barron et al, as modified above, so

that the inspection system includes a probe test means, as suggested by Lather et al, so as to receive the expected benefits of saving system down-time and improving data accuracy.

5. Claims 9, 10, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barron et al in view of Wood et al as applied to claims 1, 3, 11, 14, 15, and 49-54 above and further in of La Pierre.

Barron et al, as modified above, does not specify the inspection system having a change comparison means. La Pierre teaches a method of analyzing trend data of an engine in which difference between the most recent data and the preceding data is compared to a threshold (fig. 1, step 16 & col. 1, lines 45+). Since Barron et al and La Pierre are both within the art of defect inspection, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Barron et al, so that a change comparison means is included, as taught by La Pierre, so as to receive the expected benefit of enhanced data accuracy.

Response to Arguments

6. Applicant's arguments filed July 1, 2004 have been fully considered but they are not persuasive.

With regard to arguments of the last paragraph of claims 1 and 11 that Barron et al does not teach comparing recent reception level data with a predetermined value, applicant's attention is directed to column 17, lines 40-42. As further evidence that

comparing reception level data to a known value is well known in the art, Rauchwerger teaches an ultrasonic inspection system in which reception level data of a specimen being inspected is compared to a predetermined value (col. 6, lines 35-47).

With regard to arguments of claim 15, although Barron et al does not teach a means for receiving predetermined data making up the system main body, a method for self-testing system components is known in the art. As further evidence, Takeuchi et al teaches a method of self-testing an ultrasonic diagnostic equipment in which data of its system body components is received and diagnosed (col. 1, lines 27-42). It would have been obvious to one of ordinary skill in the art, to include a self-testing means into Barron's apparatus, so as to derive the added benefit of improved system reliability and improved accuracy of data recorded during specimen testing.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is 571-272-2217. The examiner can normally be reached on Monday-Thursday 10:00-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

PK
September 30, 2004

PATRICK ASSOUAD
PRIMARY EXAMINER